

## JEROME CASE HEARING BEGINS

TILLINGHAUST TELLS FAMILIAR STORY OF JURY FIXING.

Says He Was Open to Engagement as a Handy Man on Any Jury and Sat on a Lot of Them—Jerome Sent Him to Jail—Judge Bars Irrelevant Scandal.

The hearing on the King charges against District Attorney Jerome was begun yesterday in the audience room of the Public Service Commission before former Chief Judge Charles Andrews of the Court of Appeals, sitting as a special commissioner appointed by Gov. Hughes. Mr. Jerome's alleged neglect in prosecuting cases of jury "fixing" charged against the Metropolitan Street Railway Company in 1900-01 was the first specification taken up and William H. Tillinghast, the self-confessed bribe taker, was the chief witness.

Franklin Pierce appeared as counsel for the King committee of minority stockholders in the Metropolitan Street Railway Company, which lodged the charges with Gov. Hughes. Mr. Jerome will conduct his own defense, although he might have had the services of any one of several eminent lawyers who had offered to aid him. Two of Mr. Jerome's assistants, Nathan Smyth and Isidore Kresel, and his private secretary, William C. Langdon, attended yesterday's hearing with him.

Judge Andrews cautioned both sides against introducing irrelevant documentary evidence. District Attorney Jerome thought that some of the twenty-three charges which had been filed against him might plainly be excluded. Mr. Pierce and he might agree upon that.

"Let that question be raised as the charges are presented," said Judge Andrews.

Referring to Mr. Jerome's formal answer to the charge relating to the Tillinghast case, Mr. Pierce said:

"Mr. Jerome has misapprehended the nature of this charge. He says now that the evidence is insufficient. Whether that is so or not he at one time had evidence which was sufficient and did not present it. When William H. Tillinghast admitted that he received \$40 from the Metropolitan in payment for his labor as a juror, from the beginning to the end of the whole transaction, Mr. Jerome appeared more in the capacity of attorney for the railroad company, seeing that indictments were not found. At the trial he appeared, it seems, and began to cross-examine the witness to show that he was a man of bad character."

Mr. Jerome, as Mr. Pierce viewed the situation, should have used Tillinghast as a witness against the company instead of doing everything possible to discredit his word and sending him to jail.

"In all these matters," said the committee's lawyer, "Mr. Jerome ought to have prosecuted instead of taking sides with the railroad company."

It was first shown by evidence that in 1900-01 Tillinghast sat in nine cases against the Metropolitan. Then Mr. Jerome brought out the fact that in the same period Tillinghast had been a juror in twelve cases in which the street railway was in no way concerned.

Tillinghast recited his old story of his part in the Metropolitan jury fixing—of how Alexander Smith, a court officer, had let him understand that there would be "something in it" if he would agree to vote in a case which "must go one way."

He got his money from Smith that time, he said, but afterward from Stanley Baggs, who was connected with the Metropolitan's investigating office.

Tillinghast said he got money in every Metropolitan case in which he sat, probably twenty-five in all. He wanted to give the names of the lawyers who appeared in the Metropolitan cases, but Mr. Jerome interrupted.

"I have no objection to any criticism made against myself directly or by inference at these hearings, for I am here and can defend myself, but I submit that it is highly improper to drag lawyers' names into this witness's testimony in such an indefinite manner and so as to reflect upon their reputations when there is no evidence to support such inferences. They have no right to appear at these hearings and defend themselves."

Judge Andrews instructed the witness to confine himself to names that were asked for.

Tillinghast said he had sat in many cases in the City Court when he was not drawn on the regular jury panel.

"Clerk Foley," he suggested to me that I would be a handy man to have here to use in cases in which some of his friends might have an interest."

He admitted that he had pleaded guilty to forgery in Chicago in 1895, for which he was sentenced to two years in prison, and to falsely personating a juror in this city in 1900, when he was sentenced to three months in the penitentiary. He admitted that he had been out of work recently but denied that he had received any money to testify.

Mr. Jerome brought out that Ambrose McCabe, Mr. Patterson and Mr. Little were the Metropolitan lawyers who had tried some of the cases in which Tillinghast had served as a juror. Tillinghast admitted that he had never had a talk with any of these lawyers and that he was not concerned he could not now or at any other time testify to words spoken by them showing bribery or any other crime. He admitted also that he had no good reason to believe that he had been out of work recently because he was cognizant of any bribery, except that he regarded their way of conducting his examination as a juror as significant.

"I would not be challenged and my examination would be cut short," said he, "and I thought from these things the lawyers must have known I was getting money and was a safe juror for the Metropolitan."

Tillinghast said he always got his money, no matter how the verdict went.

"Sometimes," said he, "it was better that the verdict should be against the company than the other way."

"You were willing to defraud poor people and sell their claims to the rich corporation?"

"Yes, I am ashamed to say I was. But I am sorry for it all now."

"Yes, I know you are sorry," said Mr. Jerome.

About noon word came from Justice Dowling that he was calling for reasons of public policy to adjourn the special Grand Jury yesterday afternoon, and the hearing was put off until 9 o'clock this morning, so that Mr. Jerome could attend to official business.

He would try to arrange the hearings so that Mr. Jerome can carry on his Grand Jury work at the same time.

MORSE'S ANSWER A DENIAL.

He Says He Was Not Beneficiary of So-Called Dummy Loans.

Charles W. Morse filed in the United States Circuit Court yesterday his answer to the bill of complaint in the suit brought by Receiver Charles A. Hanna of the National Bank of North America against him to recover \$400,000 with interest, which amount Morse is alleged to have obtained by dummy loan transactions.

Morse denies that he "dominated and controlled all the business and operations of the bank and the actions of its officers."

He denies also that he is in any way responsible for the loans standing in the names of the persons mentioned in the complaint. These include, among others, Calvin Austin, who was president of the consolidated street railway company, and James T. Morse, "Uncle Jim of Maine."

Mr. Morse denies that he was the beneficiary under these loans. He asks that the suit be dismissed.

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Spring creeps on stealthily, but our "new ideas" in Spring Overcoats have crowded themselves into line ready for inspection.

Light browns and light grays of fancy mixtures, \$18 to \$35. Dark mixed grays, Oxfords and blacks, \$18 to \$45. Many with silk linings. Some with silk facings.

Stetson's New Derby Hat Is Out—\$5.50 and \$5

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DO YOU WANT

the very latest for spring? If so, come and see our new color "Marsh Brown." The shadow stripe effects in imported unfinished worsteds are beautiful. Suit to measure, \$25.

When requesting samples, kindly specify "Marsh Brown."

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## THE TAX AT THE BARRIER.

Dressmakers and Others Repent and Pay Higher Rates.

Awakened conscience, or perhaps the increasing certainty of being caught, has recently been causing a pilgrimage of importing dressmakers to the offices of the Collector of the Port. Collector Fowler said yesterday that many of the largest of the importers had called to admit that their invoices had been largely undervalued. He concludes from this that he was fully justified in instituting the proceedings which recently resulted in the advances sustained by the Board of General Appraisers.

Awakened conscience isn't confined to New York. It has reached Chicago. Coincident with the announcement of the final decision in the reappraisal of dressmakers' goods which hit the importation of Easter gowns so hard, Collector Fowler got a letter from "Jane Smith" of Chicago, enclosing \$200. Jane explained that while abroad she had purchased some things and had them shipped. The dealer, she says, gave her a lower price for the invoice, but she didn't know the law and thought the scheme "quite innocent." Learning of her mistake concerning the innocence of the action Jane sent on enough money to make up what she should have paid had the valuation been honest. She added that she had left out her real name, as she did not care to get the slipper into trouble, believing, as she did, that he had acted honestly according to his lights.

The part about the shipper didn't quite pass the customs officials, who added the following comment in giving out the news: "The conscience of the writer seems to prompt her to honesty. It is a pity that she should not entertain a more appropriate view of the integrity of her shipper!"

## ONLY ONE SUBWAY SECTION NOW

Unless Fourth Avenue Route Is Changed to Avoid Private Property.

The special committee of the Board of Estimate will report to-day on the application of the Public Service Commission for the approval by the city authorities of the Fourth Avenue (Brooklyn) subway. It will recommend the building of the subway in sections and that the city proceed at once to build the first section, running from Nassau street to Willoughby street.

This decision will undoubtedly raise another outcry in South Brooklyn, because it had been expected that the committee would approve of two sections, which would have meant the construction of the subway between Nassau street and Ashland place. The stretch between Nassau and Willoughby streets will cost about \$1,500,000.

The committee will report that the city might be financially able to undertake the second section and the third section also, which goes to Soho street, if the Public Service Commission would modify the plans. Under the present plans the new tunnel will be in the vicinity of Ashland place run under a long stretch of private property, and it is estimated that it will cost between \$3,000,000 and \$4,000,000 to acquire this private right of way. It will be suggested in the committee's report that with slight changes in the route the tunnel can be carried under public streets and that the money saved could be applied to building the second and third sections of the subway.

## TEN CENT FARE CASE GOES OVER.

Public Service Board Gives Counsel Time to Agree on Facts.

The Public Service Commission began yesterday a series of hearings on the complaints which have been made against the Brooklyn Rapid Transit and Coney Island and Brooklyn Railroad companies of charging a ten cent fare to Coney Island. It was decided by the commission to give counsel for the companies and for the complainants time to agree upon a statement of facts and for that purpose the hearing was adjourned until April 3.

The inquiry into the ten cent fare charged by the Brooklyn Heights Railroad Company was to have been resumed yesterday, but the lawyers for the company asked for delay of ten days. In granting a postponement for a week Commissioner Bassett, who presided, said that the board would not consent to further delays in the ten cent fare hearings and that they would have precedence over every other hearing pending before the board.

## Failure Follows Supposed Burglary.

David Ross of Ross, Cohen & Co., manufacturers of clocks at 26 West Houston street, reported to the police on March 15 that a glass door leading to the firm's loft had been broken in during the night before and that cloth and 136 clocks worth \$3,800 altogether had been stolen. The detectives went to work on the case but have learned nothing of value concerning it. As the result of the reported robbery, which cleaned out the firm's stock, a creditors' petition in bankruptcy was filed against Ross, Cohen & Co. yesterday. Judge Holt appointed George Washington of 59 Wall street receiver.

## Falls From Elevated Station and May Die.

Archibald Perceles, 38 years old, of 1248 Fulton street, Brooklyn, was perhaps mortally injured yesterday by falling from the Gates avenue station of the elevated railroad at Broadway and Gates avenue. The platform was crowded at the time. Perceles stepped off the car and landed on the ground tracks and while bending over to see if a train was approaching he lost his balance. In falling he slipped between two ties and descended head first to the street. He landed on his side and lay apparently lifeless. He was carried into a store and thence removed to the Bushwick Hospital in an ambulance. It was said that he probably would die.

## TO-NIGHT—BIG

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No question of values of our raincoats either—all of substantial all-wool cloths.

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And a specially desirable grade of medium-weight natural merino, for in-between wear; long-sleeved shirts and drawers with double seats; warranted unshrinkable. \$1.50 a garment. Main floor, New Building.

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